

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No. 3:15-CR-15
)
JUAN ALBERTO ROBLES ZAVALA)

ORDER

Pending before the Court is the defendant's motion to dismiss the indictment [Doc. 26] and the Report and Recommendation [Doc. 33] on the motion filed by United States Magistrate Judge C. Clifford Shirley, Jr. Following a hearing at which the Government presented the testimony of Investigator Tom Evans of the Knoxville Police Department and the parties presented oral argument, Judge Shirley concluded that the Indictment is sufficient as a matter of law and recommended that the motion to dismiss be denied. No objections to the Report and Recommendation have been filed and the time for doing so has passed. *See* Fed. R. Crim. P. 59(b)(2).

Having carefully reviewed the Report and Recommendation as well as the underlying pleadings, the Court agrees with Judge Shirley's recommendation. Accordingly, the Report and Recommendation [Doc. 33] is **ACCEPTED IN WHOLE** and the defendant's motion to dismiss the indictment [Doc. 26] is **DENIED**.

IT IS SO ORDERED.

s/ Thomas W. Phillips
SENIOR UNITED STATES DISTRICT JUDGE